

ATT 163 40

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Mitts et al.

FOR

ELASTIN PEPTIDE ANALOGS AND USES

OF SAME IN COMBINATION WITH SKIN

ENHANCING AGENTS

SERIAL NO.

09/580,110

FILED

May 30, 2000

ATTORNEY DOCKET NO.

25812-74 (new)

25812-13 (old)

Cleveland, Ohio 44114-2518

CERTIFICATE OF MAILING

Date of Deposit: May 17, 2004

! I hereby certify that the attached:

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- Amendment B and Response to Final Office Action; and
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Nancy L. Wasikowski

(Typed or Printed Name of Sender)

May 17, 2004
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(Date)

PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/580,110 Filing Date May 30, 2000 First Named Inventor Mitts et al. Art Unit (to be used for all correspondence after initial filing) 1634 **Examiner Name** Sheinberg, Monika Attorney Docket Number -8-25812.74 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC 1 Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): RETURN RECEIPT POSTCARD Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53

Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Individual name W. Scott Harders BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP Date May 17, 2004

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In re application of

Mitts et al.

Serial No.

09/580,110

Filing Date

May 30, 2000

Examiner

Sheinberg, M

Art Unit

1634

Confirmation No.

1492

Docket No.

25812-74 (new)

25812-13 (old)

Title

Elastin Peptide Analogs and Uses of Same in Combination with

Skin Enhancing Agents

MAIL STOP AF
-Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT B AND RESPONSE TO FINAL OFFICE ACTION

Dear Examiner:

This is in response to the final Office Action dated February 17, 2004 issued in connection with the above-referenced application. The Office Action set a three-month statutory period to respond. Accordingly, this response is timely filed. Please amend the subject application as follows: